

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NATHANIEL OWENS, et al.,

Plaintiffs,

v.

MARTIN F. HORN, et al.,

Defendants.

CIVIL ACTION NO. 3:02-CV-356

(JUDGE CAPUTO)

MEMORANDUM ORDER

Presently before the Court is Plaintiff Nathaniel Owens' Motion To File Supplemental Complaint. (Doc. 177.) Local Rule 83.14 provides that the signing of a pleading or motion shall be deemed an entry of appearance. However, the United States Court of Appeals for the Third Circuit prohibits third-party lay representation. *Collingsgru v. Palmyra Bd. of Educ.*, 161 F.3d 225, 231 (3d Cir. 1998) ("The rule that a non-lawyer may not represent another person in court is a venerable common law rule."). Consequently, only licensed attorneys are permitted to enter appearances before the Court. *Id.*

It has come to the Court's attention that Mr. Owens' co-Plaintiffs, Messrs. Futch, Cotton, and Warren, never signed the Second Amended Complaint. (Doc. 115.) The only party to sign the Second Amended Complaint is Mr. Owens. While Mr. Owens has demonstrated his ability as a prolific filer of civil actions in this district, he plainly is not a licensed attorney. Consequently, he may not file pleadings or motions on behalf of individuals other than himself. Therefore, if Messrs. Futch, Cotton, and Warren wish to proceed as parties in this matter, they must sign the Second Amended Complaint.

Moreover, if they wish to join in the motion to file a supplemental complaint, Messrs. Futch, Cotton, and Warren must sign both the motion and the proposed supplemental complaint.

NOW, this 17th day of August, 2005, **IT IS HEREBY ORDERED** that:

- (1) Plaintiffs shall have thirty (30) days to submit the Second Amended Complaint, Motion To File Supplemental Complaint, and Proposed Supplemental Complaint bearing the signatures of Messrs. Owens, Futch, Cotton, and Warren.
- (2) If Plaintiffs fail to comply, the Court will dismiss all claims brought by Messrs. Futch, Cotton, and Warren.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge